CONSIDER THE NEED TO REVIEW INDIVIDUAL HEALTH PLANS IN LIGHT OF ADAAA

"Does your district/charter school routinely find students ineligible for Section 504 services because their needs are met through an Individual Health Plan (IHP)? If so, you may need to rethink your procedures to include the mitigating measures provision in the ADA Amendments Act."

- 1. The law reverses a common belief that if the student's needs are met through an IHP, there is no need for an evaluation of Section 504 Plan.
 - Be aware some students with an IHP may now be eligible for a Section 504 services/plan.
 - Best Practices notify parents of students with IHP of their rights to request an evaluation under Section 504.
- 2. Ensure 504 procedures for students with enduring health conditions line with the ADAAA.
- 3. OCR: Staff cannot consider mitigating measures, such as related services provided in an Individual Health Plan (IHP).
- 4. Take the time needed to review all IHP cases and notify parents about their child's potential eligibility under Section 504, and evaluate if necessary.
- 5. Allow for a student's Section 504 eligibility status during the next review process of his/her IHP.



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